

MINUTES OF MEETING

Each person who decides to appeal any decision made by the Board with respect to any matter considered at the meeting is advised that the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based.

**FISHHAWK
COMMUNITY DEVELOPMENT DISTRICT II**

The regular meeting of the Board of Supervisors' of Fishhawk Community Development District II was held on **Monday, December 15, 2008 at 6:40 p.m.** at the Fishhawk Palmetto Club, located at 17004 Dorman Road, Lithia, Florida 33547.

Present and constituting a quorum:

Tom Panaseny
Amanda King
Ruth Brown
Victor Barbosa

Board Supervisor, Chairman
Board Supervisor, Assistant Secretary
Board Supervisor, Assistant Secretary
Board Supervisor, Assistant Secretary

Also present were:

Eric Dailey
Biff Craine
Dawn Turner
Holly Quigley
Rachel Welborn
Audience

District Manager, Rizzetta & Company, Inc.
District Counsel, Brickleyer, Smolker & Bolves, P.A.
Representative, Newland Communities
Community Director
Resident Services Coordinator

FIRST ORDER OF BUSINESS

Call to Order

Mr. Dailey called the meeting to order and read the roll call.

SECOND ORDER OF BUSINESS

**Consideration of Minutes of the
Combined Board of Supervisors meeting
with Fishhawk CDD I on November 17,
2008**

<p>On a Motion by Ms. Brown, seconded by Mr. Panaseny, with all in favor, the Board of Supervisors approved the Minutes of the Combined Board of Supervisor's meeting with Fishhawk CDD I on November 17, 2008 as amended for Fishhawk Community Development District II.</p>

THIRD ORDER OF BUSINESS

Consideration of Minutes of the Board of Supervisors meeting on December 15, 2008

On a Motion by Mr. Panaseny, seconded by Ms. King, with all in favor, the Board of Supervisors approved the Minutes of the Board of Supervisor's meeting on December 15, 2008 for Fishhawk Community Development District II.

FOURTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for January

On a Motion by Ms. King, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for January totaling \$140,976.44 as discussed for Fishhawk Community Development District II.

FIFTH ORDER OF BUSINESS

Consideration of Operation and Maintenance Expenditures for January – Palmetto Club

On a Motion by Mr. Barbosa, seconded by Ms. King, with all in favor, the Board of Supervisors approved the Operation and Maintenance Expenditures for January – Palmetto Club totaling \$37,809.96 for Fishhawk Community Development District II.

SIXTH ORDER OF BUSINESS

Consideration of Series 2007AB Construction Requisitions #119-#122

On a Motion by Ms. King, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors ratified the Series 2007 A & B Construction Requisitions #119-#122 for Fishhawk Community Development District II.

SEVENTH ORDER OF BUSINESS

Consideration of Resolution 2009-04, Revising Resolution 2009-03, Setting the Public Hearing on Adopting User Rules and Rates for Amenities

On a Motion by Ms. Brown, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved Resolution 2009-04, Amending Resolution 2009-03, Setting a Public Hearing on Adopting User Rules and Rates for Amenities on March 16, 2009 at 4:00 p.m. at the Palmetto Club located at 17004 Dorman Road, Lithia, FL 33547 for Fishhawk Community Development District.

EIGHTH ORDER OF BUSINESS

**Consideration of Cost Sharing
Agreements with Fishhawk CDD III**

This item was tabled until the February meeting.

NINTH ORDER OF BUSINESS

**Presentation of Notice of Material
Default of Covenants for Aquatic Café**

The Board of Supervisors approved an addendum to the lease with the following:

1. The all outstanding gas bills are to be brought current by 2/10/09.
2. A payment must be made every month in the amount of \$500 beginning 3/10/09 or the next six months in order to bring current; a total deposit of \$1,250 and all past due electric bills.
3. Should the gas bill not be brought current by 2/10/09 or any monthly installments are missed going forward, the lease will be immediately terminated.
4. The Board of Supervisors authorized District Counsel to draft an addendum to the lease and authorized the Chairman to execute upon completion.

On a Motion by Mr. Panaseny, seconded by Ms. King, with all in favor, the Board of Supervisors authorized District Counsel to draft the addendum to the Aquatic Café lease and authorized the Chairman to execute upon completion for Fishhawk Community Development District.

TENTH ORDER OF BUSINESS

**Consideration of Resolution 2009-05,
Reappointing Assistant Secretaries**

On a Motion by Ms. King, seconded by Ms. Brown, with all in favor, the Board of Supervisors approved Resolution 2009-05, Replacing Debby Bayne and Sue Ellen Gehrke with Eric Dailey and Tina Wells as Assistant Secretaries for Fishhawk Community Development District.

ELEVENTH ORDER OF BUSINESS

Staff Reports

- A. Community Director

On a Motion by Ms. King, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors authorized the use of the pool deck by the HOA for the Mardi Gras Event for Fishhawk Community Development District.

On a Motion by Ms. King, seconded by Ms. Brown, with all in favor, the Board of Supervisors approved the Wine Fest Event for March 15th and 16th in Park Square for Fishhawk Community Development District.

B. District Counsel

On a Motion by Ms. King, seconded by Mr. Barbosa, with all in favor, the Board of Supervisors approved the proposal from Ballenger & Company, Inc. in the amount of \$5,250 for the master irrigation system as-builts to be split at the same percentage of the maintenance contract between Fishhawk CDD I and II with a sixty day delivery date for Fishhawk Community Development District.

C. District Engineer

On a Motion by Ms. Panaseny, seconded by Ms. King, with all in favor, the Board of Supervisors authorized the District Engineer to obtain a proposal for Option #1 and #2 for the Town Center 1B, 2A and 2B Drainage Improvements; and authorized the Chairman to enter into an agreement based on the best option for the District for Fishhawk Community Development District.

On a Motion by Mr. Panaseny, seconded by Ms. King, with all in favor, the Board of Supervisors authorized the District Engineer to run the necessary advertisement for a Request for Proposal (RFP) for Fishhawk Ranch Boardwalk and for the Churchside Drive traffic calming and Town Center 2C modification; and approved evaluation criteria for Fishhawk Community Development District.

On a Motion by Mr. Barbosa, seconded by Ms. King, with all in favor, the Board of Supervisors appointed the Board of Supervisors to serve as the RFP Review Committee; and set March 16, 2009 at 2:00 p.m. at the Palmetto Club for the Review Committee meeting for Fishhawk Community Development District.

C. District Manager

TWELFTH ORDER OF BUSINESS

Supervisor Requests and Audience Comments

Mr. Panaseny stated that he received a letter from a resident expressing concern with the volume and use of the TV after hours in Park Square.

The Board requested that Ms. Quigley obtain a proposal for a tree spade for the Garden Park District and provide it to the Board at the February meeting.

On a Motion by Ms. King, seconded by Mr. Barbosa, with three in favor and one against (Mr. Panaseny), the Board of Supervisors approved to change the remainder of the Fiscal Year 2008/2009 meeting schedule to 2:00 p.m. for Fishhawk Community Development District.

There were no audience members present.

THIRTEENTH ORDER OF BUSINESS

Adjournment

On a Motion by Mr. Panaseny, seconded by Ms. King, with all in favor, the Board adjourned the meeting at 8:40 p.m. for Fishhawk Community Development District II.

Secretary/Assistant Secretary

Chairman/Vice Chairman

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